

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARGUCCI INTERNATIONAL, INC.,

Plaintiff,

- against -

NATIONAL STORES, INC.,

Defendant.  
----- X

**MEMORANDUM & ORDER**

15 CV 4991 (RJD) (RML)


DEARIE, District Judge

Examining the papers, the Court is mindful of the longstanding policy and preference to resolve disputes on the merits. Accordingly, I deny the motion for default judgment and grant the motion to vacate the Clerk's entry of default. The parties are directed to promptly confer in an effort to resolve the lawsuit and, failing that, to proceed under the Magistrate's guidance with expedited discovery and motion practice if appropriate. In an abundance of caution, the Court advises defendant that a repetition of the inattentive conduct reflected in the papers before the Court may well result in a serious sanction.

SO ORDERED.

Dated: Brooklyn, New York  
May 24, 2016

s/ RJD

  
RAYMOND J. DEARIE  
United States District Judge